

House Amendment 8366

PAG LIN

1 1 Amend Senate File 2269, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 16, by striking lines 5 through 23 and
1 4 inserting the following:
1 5 Section 53.17, Code 2003, is amended to
1 6 read as follows:
1 7 53.17 MAILING OR DELIVERING BALLOT.
1 8 1. The sealed envelope containing the absentee
1 9 ballot shall be enclosed in a carrier envelope which
1 10 shall be securely sealed. The sealed carrier envelope
1 11 shall be returned to the commissioner by one of the
1 12 following methods:
1 13 1- a. The sealed carrier envelope may be delivered
1 14 by the registered voter, by the special precinct
1 15 election officials designated pursuant to section
1 16 53.22, subsection 1, or by the voter's designee if the
1 17 absentee ballot is voted by a voter described in
1 18 section 53.22, subsection 5, to the commissioner's
1 19 office no later than the time the polls are closed on
1 20 election day, except as otherwise provided in
1 21 subsection 4.
1 22 2- b. The sealed carrier envelope may be mailed to
1 23 the commissioner by the registered voter, by an
1 24 immediate family member of the voter, or by the
1 25 voter's designee if the ballot is voted by a voter
1 26 described in section 53.22, subsection 5. The carrier
1 27 envelope shall indicate that greater postage than
1 28 ordinary first class mail may be required. The
1 29 commissioner shall pay any insufficient postage due on
1 30 a carrier envelope bearing ordinary first class
1 31 postage and accept the ballot.
1 32 c. The sealed carrier envelope may be delivered to
1 33 the commissioner by an absentee ballot courier, but
1 34 only as provided in subsection 4.
1 35 2. In order for the ballot to be counted, the
1 36 carrier envelope must be received in the
1 37 commissioner's office before the polls close on
1 38 election day or be clearly postmarked by an officially
1 39 authorized postal service not later than the day
1 40 before the election and received by the commissioner
1 41 not later than noon on the Monday following the
1 42 election.
1 43 3. If the law authorizing the election specifies
1 44 that the supervisors canvass the votes earlier than
1 45 the Monday following the election, absentee ballots
1 46 returned through the mail must be received not later
1 47 than the time established for the canvass by the board
1 48 of supervisors for that election. The commissioner
1 49 shall contact the post office serving the
1 50 commissioner's office at the latest practicable hour
2 1 before the canvass by the board of supervisors for
2 2 that election, and shall arrange for absentee ballots
2 3 received in that post office but not yet delivered to
2 4 the commissioner's office to be brought to the
2 5 commissioner's office before the canvass for that
2 6 election by the board of supervisors.
2 7 4. a. A person who represents a political party,
2 8 candidate, or committee, as defined by chapter 68A,
2 9 shall register with the commissioner as an absentee
2 10 ballot courier in order to deliver completed absentee
2 11 ballots to the commissioner. A candidate whose name
2 12 is on the ballot or an elected official shall not be
2 13 allowed to register as an absentee ballot courier.
2 14 b. The registration shall include the courier's
2 15 name and address and the best means for contacting the
2 16 person or the political party, candidate, or committee
2 17 the person represents. An absentee ballot courier
2 18 must register with the commissioner prior to each
2 19 election for which the person will be delivering
2 20 completed absentee ballots to the commissioner. For
2 21 each election, the commissioner shall maintain a list
2 22 of all persons who have registered as absentee ballot
2 23 couriers.
2 24 c. A person wishing to register as an absentee

2 25 ballot courier must complete a training course in the
2 26 laws, procedures, and penalties related to handling
2 27 completed absentee ballots. The training course shall
2 28 be conducted by the commissioner; the commissioner's
2 29 designee; or, in the case of partisan elections, by
2 30 the respective county central committees. The
2 31 curriculum for the training course shall be
2 32 established by the state commissioner by rule adopted
2 33 pursuant to chapter 17A.
2 34 d. When an absentee ballot courier retrieves a
2 35 completed absentee ballot from a voter, the courier
2 36 shall fill out a receipt to be retained by the voter.
2 37 The receipt shall state the name of the courier and
2 38 that the completed absentee ballot will be delivered
2 39 to the commissioner's office within seventy-two hours
2 40 or by five p.m. on election day, whichever is sooner.
2 41 e. An absentee ballot courier shall submit a cover
2 42 sheet listing the names of persons whose ballots are
2 43 being delivered each time the courier delivers ballots
2 44 to the commissioner's office.
2 45 f. A violation of any part of this subsection is
2 46 election misconduct in the first degree, pursuant to
2 47 section 39A.2, subsection 1, paragraph "b",
2 48 subparagraph (1).
2 49 5. For purposes of this section, "immediate family
2 50 member" means the spouse, adult child or stepchild,
3 1 adult grandchild, parent or stepparent, grandparent,
3 2 or adult sibling of the voter.>
3 3 #2. By renumbering as necessary.
3 4
3 5
3 6
3 7 JACOBS of Polk
3 8 SF 2269.703 80
3 9 sc/gg